



Attorney Docket No. 50277-1747

2152  
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10-24-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit No.: 2152

Steven Viavant et al.

Examiner: NYA

Serial No.: 09/945,160

Filed on: August 31, 2001

For: TECHNIQUES FOR SERVER-CONTROLLED MEASUREMENT OF CLIENT-SIDE PERFORMANCE

Commissioner for Patents  
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

  X   37 C.F.R. §1.97(b).

       37 C.F.R. §1.97(c). If so, then this Information Disclosure Statement includes one of the following:

       A statement pursuant to 37 C.F.R. §1.97(e)

       1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in communication from a foreign patent office in a counterpart

foreign application not more than three months prior to the filing of this information disclosure statement.

\_\_\_\_\_ 1.97(e)(2) The undersigned hereby states that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

\_\_\_\_\_ A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

\_\_\_\_\_ 37 C.F.R. §1.97(d). If so, then this Information Disclosure Statement includes the following:

\_\_\_\_\_ A statement pursuant to 37 C.F.R. §1.97(e)

\_\_\_\_\_ 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; OR

\_\_\_\_\_ 1.97(e)(2) The undersigned hereby states that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

AND

\_\_\_\_\_ A check for \$180.00 for the fee under 37 C.F.R. §1.17(i) for submission of the Information Disclosure Statement.

\_\_\_\_\_ 37 C.F.R. §1.97(i). Wherein applicants are submitting references before the grant of a patent to be placed in the file but not considered by the Patent office.

- (1) Accordingly, copies of the references as listed on the attached Form PTO 1449 are submitted herewith for placement in the file. No certification or fees are deemed necessary.

Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: October 17, 2002



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Reg. No. 35,894

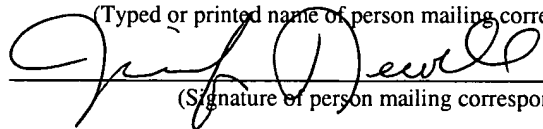
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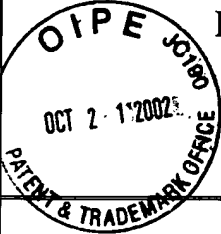
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Jennifer Newell

(Typed or printed name of person mailing correspondence)



(Signature of person mailing correspondence)

<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <b>(PTO-1449)</b>				<b>ATTY. DOCKET NO.</b> 50277-1747	<b>SERIAL NO.</b> 09/945,160	
				<b>APPLICANT:</b> Steven Viavant et al.		
				<b>FILING DATE:</b> August 31, 2001	<b>GROUP:</b> 2152	
<b>U.S. PATENT DOCUMENTS</b>						
Exam. Initial*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (If known)			
		6,061,724		Ries et al.	05-09-2000	
		6,286,046	B1	Bryant	09-04-2001	
		6,311,175	B1	Adriaans et al.	10-30-2001	
		6,339,750	B1	Hoyer et al.	01-15-2002	
		6,427,168	B1	McCombs	07-30-2002	
		6,438,592	B1	Killian	10-20-2002	

<b>FOREIGN PATENT DOCUMENTS</b>								
Exam. Initial*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD- YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (If known)				

<b>Examiner Signature</b>	<b>Date Considered</b>
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.